

Contacts: 6  
Calls: 12  
Outs: 5

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## JOURNAL

### OFFICE OF LEGISLATIVE COUNSEL

Tuesday - 26 November 1974

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1. [ ] Contacted Robert Hull, State Department, and George Gilbert, OMB, to advise them of the House Ways and Means Committee action to phase out section 912 of the Internal Revenue Code which excludes certain Governmental overseas allowances from gross income. Neither were previously aware of this action and said they would have it looked into promptly.

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2. [ ] Received a call from [ ] PFIAB staff, and reported that Col. John Walker, Vice President's Military aide, had a signed receipt indicating that the Director's 18 September 1974 letter had been personally delivered to Governor Rockefeller.

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3. [ ] In connection with his call of 25 November, Bill Jones, INR/State, called and asked if it would be possible for him to have another of the standard packages used by Mr. Thuermer answering requests for CIA material for use by college debate teams. Another copy will be sent to Mr. Jones.

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4. [ ] Tried to reach Representative Albert Quie and in his absence talked with Mary Bradley, of his staff, regarding the Congressman's letter to the Director on correspondence he had received from [ ] covering Victor Marchetti's allegations about the Agency functioning with the British in Northern Ireland. I told Miss Bradley we were working on responses to a number of letters that had been forwarded to us as a result of [ ] correspondence and I expected we would be in touch with the Congressman tomorrow.

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5. [ ] Received a call from Joyce Campbell, Senate Armed Services Committee staff, who asked if we had any of the copies of the transcript of the Director's 11 July 1974 testimony on Diego Garcia. After checking the files, I called her back and told her all three copies of the transcript had been returned to the Committee.

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6. [ ] Was unable to contact John Kwapisz, Senator James L. Buckley's (D., N. Y.) staff man who prepared the amendment by Senator Buckley to the recent changes in the Elementary and Secondary Education Act of 1965, which requires educational institutions to secure the permission of a student before permitting access by outside agencies to his records. I spoke to Kwapisz' secretary, who said that since the law was passed they had been deluged with calls from educational institutions and professional organizations averaging 100 a day. As a result, Senator Buckley is considering an amendment which would preclude access to information in educational records prior to a specific date which had been given in confidence. She said he was not considering any amendment to in any way broaden access by outside agencies to student records without the student's permission. I left my number and asked that Mr. Kwapisz contact me; she said she would check with him and call.

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7. [ ] Al Tarabochia, Chief Investigator, Senate Judiciary Subcommittee on Internal Security, called. He had read the Director's interview in U. S. News and World Report, and expressed an interest on behalf of Jay Sourwine, Chief Counsel, to support the Director's efforts for a law to protect intelligence sources and methods. They offered their assistance in any way that we would deem helpful. Tarabochia thought the bill would be going to the Senate Judiciary Committee; I explained that since it was an amendment to the National Security Act of 1947 it would be a matter for the Senate Armed Services Committee to consider. We discussed the possibility of Jay Sourwine appearing as a witness to testify on the efforts by the opposition to capitalize on disclosures in publications such as Agee. I told him I would discuss his offer with our people and let him know.

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8. [ ] In the absence of Representative Peter Frelinghuysen, I spoke to Kathy Barrett, in his office, and asked her if Frelinghuysen could speak to our Advanced Intelligence Seminar on 17 December. She said the Congressman would be back on Monday and she would discuss it with him and get back in touch with us.

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9. [ ] Spoke with Mr. Hanna, House Foreign Affairs Committee staff, in connection with his request for three intelligence reports: a 1954 report by General Doolittle's group for the White House and a 1949 report by Allen Dulles for the National Security Council and finally two Hoover Commission reports from 1949 and 1955. I told Hanna that we had no authority to release the first two reports and that there were two reports made to Congress on the Hoover Commission. He explained that the Committee staff is interested in learning more about the intelligence community as a result of their recent mandate in that field. I suggested that he confer with Marian Czarnecki, chief of staff of the Committee, to develop more specific areas of interest and then we would be happy to work with them.

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10. [ ] In connection with the Director's call from Secretary of Defense Schlesinger this morning, I talked with Guy McConnell, and then with Mike Rexroad, Senate Appropriations Committee staff. I said it was my understanding that there was some confusion regarding statements made by Senator Stuart Symington on the Director's position on Soviet presence in the Indian Ocean/Diego Garcia and the Director was considering sending a letter to Chairman McClellan before the Committee meets to mark up the Military Construction Appropriation bill today. Rexroad said he thought Symington had fairly stated the Director's position yesterday and he felt any new correspondence from the Director would only serve to "muddy the waters." He agreed it would be useful for us to provide him with copies of the Director's previous correspondence with our Committee Chairmen on this subject along with the text of his testimony as sanitized and released in the Congressional Record.

After meeting with the Director and Dr. Proctor, I advised Rexroad the Director was sending copies of the material we had discussed earlier along with a note to the Chairman and he should receive it before the Committee meets at 11:00 a.m.

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11. [ ] Met with Emily Sheketoff, a freelance research analyst currently working for the Murphy Commission, at the request of [ ], IC Staff. Sheketoff was interested in the security procedures followed in our briefings of congressional committees and in the Agency's security systems and procedures. I described to Sheketoff our briefing procedures distinguishing those applicable to our oversight committees from those generally followed in briefings of committees. I then asked [ ] OGC, to join us and he responded to her questions about the Agency security policies and procedures. We also discussed with her some of the problems we have encountered and expect to run into under the various provisions of the Freedom of Information Act. I provided her with a copy of our Intelligence Sources and Methods package as originally submitted to OMB and a copy of the U.S. News and World Report interview with the Director contained in the 2 December issue. She mentioned she has talked with Bill Hogan, House Armed Services Committee staff, who suggested she contact me and has made arrangements to meet with Clark McFadden, Senate Armed Services Committee staff. I suggested that she obtain a copy of the Director's confirmation hearings when she sees McFadden. I said I thought that document and the Director's recent statement before the Fund for Peace Conference would be of interest to her in understanding the Director's position on the various issues being discussed.

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12. [ ] Charles Platt, Senate Government Operations Subcommittee on Reorganization, Research and International Organizations staff, called asking for the cite of the Higgs v. Helms case. After checking with OGC, I returned Platt's call and informed him that the Higgs case had been dismissed sua sponte on 1 July 1974 on the basis of the Richardson v. Sokol decision by the Supreme Court on 25 June 1974. Apparently, only a slip was issued and accordingly there was no cite. I also informed Platt that Higgs had appealed this decision to the United States Circuit Court of Appeals, District of Columbia. We discussed the standing issue present in the Higgs and Richardson cases and Platt offered up that perhaps a way to achieve a standing to challenge the confidential nature of CIA's budget was to have a congressman as plaintiff because of the recent liberalization by the courts as to standing for congressmen. Platt mentioned that he had discussed this possibility with Ron Tammen, Senator William Proxmire's (D., Wisc.) staff man. Platt was satisfied with our response.

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13. [ ] I accompanied [ ] DDI, to a meeting with Representatives Robert W. Daniel, Jr. (R., Va.) and Dan Daniel (D., Va.) for a briefing on the current situation in the Middle East and the Sinai oil fields. Both Representatives were rather knowledgeable and the questions asked were in line with the briefing provided by [ ]. The members are understandably concerned about the expected forthcoming request to the Congress for support commitments to the Israelis for possibly as long as the next ten years. No comment was made on this aspect of the situation. Both members expressed their appreciation to [ ] for the briefing. There are no follow ups.

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14. [ ] Met with William H. Hogan, Counsel, Intelligence Subcommittee, House Armed Services Committee, and received from him the following transcripts: 7 June 1973 printer's copy of the transcript of hearings before the Subcommittee of H. R. Haldeman; 13 June 1973 printer's copy of the transcript of hearings before the Subcommittee of John Ehrlichman; and a copy of the transcript of 22 July 1974 before the Subcommittee on H. R. 15845. Hogan requested that we sanitize the Haldeman and Ehrlichman transcripts before the others that were forwarded to us yesterday. The Chairman would like to be prepared in the event of a request for the transcripts.

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15. [ ] Received a call from Sue Whitcomb, in Representative Jack F. Kemp's (R., N.Y.) District office, inquiring as to the status of a constituent application for employment. After checking with Personnel, I called Ms. Whitcomb back and told her that [ ] application was still under consideration.

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16. [ ] Received a call from Ralph Preston, House Appropriations Committee staff, who told me that Chairman

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George H. Mahon (D., Texas) for many reasons has now assigned [ ]

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[ ] to work parttime with Preston in intelligence community matters.

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One basis for the determination would be the fact that [ ]

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[ ] Both Preston and [ ] are expected to be in attendance at tomorrow's meeting of the Special Group.

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17. [ ] Received a call from Paul Goulding, Administrative Assistant to Senator Claiborne Pell (D., R.I.), who asked if the Agency could provide any form of transcript of the broadcast over Cuban radio and television of the interviews with Carlos Rivero Collado, a former anti-Castroite who has returned to the front. [ ] has been advised.

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GEORGE L. CARY  
Legislative Counsel

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cc:  
O/DDCI

Mr. Warner  
Mr. Thuermer  
Mr. Lehman

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[ ]  
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Compt  
Item #10 - [ ] IC Staff  
Item #11 - [ ] OGC  
Item #15 - Personnel